

**EIGHTY-NINTH GENERAL ASSEMBLY  
2021 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET**

**April 28, 2021**

**Clip Sheet Summary**

Displays all amendments, fiscal notes, and conference committee reports for previous day.

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SENATE AMENDMENT TO  
HOUSE FILE 365

H-1426

- 1     Amend House File 365, as passed by the House, as follows:
- 2     1. Page 1, line 2, by striking <subsection> and inserting
- 3     <subsections>
- 4     2. Page 1, after line 9 by inserting:
- 5     <NEW SUBSECTION. 1B. The sheriff conducting the
- 6     garnishment shall also notify the sheriff of the county where
- 7     the action is being enforced.>

H-1426 FILED APRIL 28, 2021

SENATE AMENDMENT TO  
HOUSE FILE 682

H-1427

1     Amend House File 682, as amended, passed, and reprinted by  
2 the House, as follows:

3     1. Page 3, by striking lines 7 through 11 and inserting:

4     <4. A person who is not a certified real estate appraiser  
5 under this chapter but who is licensed under chapter 543B may  
6 be compensated in the course of business for providing an  
7 estimate of the probable selling price or leasing price of a  
8 particular parcel of real estate or interest in real estate as  
9 a comparative market analysis or a broker price opinion. Such  
10 a comparative market analysis or broker price opinion shall not  
11 be considered an appraisal for purposes of this chapter and  
12 shall not be prepared for any purpose in lieu of an appraisal  
13 when an appraisal is required by federal or state law.>

14     2. Page 5, after line 2 by inserting:

15     <Sec. \_\_\_\_. Section 543D.22, subsections 1 and 3, Code 2021,  
16 are amended to read as follows:

17     1. a. The Subject to paragraphs "b" and "c", the board may  
18 require a national criminal history check through the federal  
19 bureau of investigation for applicants for certification or  
20 registration, or for persons certified or registered, under  
21 this chapter, if needed for credibility, to comply with  
22 federal law or regulation, or the policies of the appraisal  
23 qualification board of the appraisal foundation. The board  
24 may alternatively require a national criminal history check  
25 through the nationwide mortgage licensing system and registry,  
26 as defined in section 535D.3, when conducting background  
27 investigations under this section, if authorized by applicable  
28 federal law or regulation.

29     b. The board shall not require a national criminal  
30 history check through the federal bureau of investigation  
31 for applicants for upgraded certification or registration  
32 if the applicant applies for the upgraded certification or  
33 registration within twenty-four months following the date the  
34 applicant obtained their original certification or registration  
35 under this chapter.

1     c. By signing and submitting to the board a statement  
2 declaring that there have been no changes to the applicant's  
3 criminal history since the date of the waiver specified  
4 in subsection 4, and that there are no active or pending  
5 complaints in any state against the applicant, any of the  
6 following individuals may seek a waiver of the board's  
7 requirement to undergo a national criminal history check:

8     (1) An applicant for upgraded certification or registration  
9 who obtained their original certification or registration under  
10 this chapter more than twenty-four months prior to applying for  
11 the upgraded certification or registration.

12     (2) An applicant for upgraded certification applying to the  
13 board under a reciprocity agreement.

14     3. a. The Subject to paragraphs "b" and "c", the board  
15 may also request and obtain, notwithstanding section 692.2,  
16 subsection 5, criminal history data for applicants, certificate  
17 holders, and registrants. A request for criminal history  
18 data shall be submitted to the department of public safety,  
19 division of criminal investigation, pursuant to section 692.2,  
20 subsection 1.

21     b. The board shall not request or obtain criminal history  
22 data for applicants for upgraded certification or registration  
23 if the applicant applies for the upgraded certification or  
24 registration within twenty-four months following the date the  
25 applicant obtained their original certification or registration  
26 under this chapter.

27     c. By signing and submitting to the board a statement  
28 declaring that there have been no changes to the applicant's  
29 criminal history data since the date of the waiver specified  
30 in subsection 4, and that there are no active or pending  
31 complaints in any state against the applicant, any of the  
32 following individuals may seek a waiver of the board's request  
33 to obtain criminal history data:

34     (1) An applicant for upgraded certification or registration  
35 who obtained their original certification or registration under

1 this chapter more than twenty-four months prior to applying for  
2 the upgraded certification or registration.

3 (2) An applicant for upgraded certification applying to the  
4 board under a reciprocity agreement.

5 Sec. \_\_\_\_\_. APPLICABILITY. The following applies to  
6 applications for original certification or registration and  
7 renewal certification or registration that are submitted to the  
8 real estate appraiser examining board on or after the effective  
9 date of this Act:

10 The section of this Act amending section 543D.22.>

11 3. Title page, by striking line 2 and inserting  
12 <certification law, making penalties applicable, and including  
13 applicability provisions.>

14 4. By renumbering as necessary.

SENATE AMENDMENT TO  
HOUSE FILE 802

H-1428

1     Amend House File 802, as amended, passed, and reprinted by  
2 the House, as follows:

3     1. Page 1, by striking lines 7 and 8.

4     2. Page 1, line 11, by striking <another>

5     3. Page 1, line 14, after <foregoing> by inserting <and  
6 whose budget is comprised primarily of tax-generated revenue>

7     4. Page 1, after line 20 by inserting:

8     <\_\_\_\_. *"Specific defined concepts"* means the same as defined  
9 in section 261H.7.>

10    5. Page 1, by striking lines 29 through 33 and inserting  
11 <does not teach, advocate, encourage, promote, or act upon  
12 stereotyping, scapegoating, or prejudice toward others on  
13 the basis of demographic group membership or identity. This  
14 subsection shall not be construed as preventing an employee or  
15 contractor who provides mandatory training from responding to  
16 questions regarding stereotyping, scapegoating, or prejudice  
17 raised by participants in the training.>

18    6. Page 2, by striking lines 1 and 2 and inserting <against  
19 other employees by any characteristic protected under the  
20 federal>

21    7. Page 2, line 17, by striking <divisive> and inserting  
22 <specific defined>

23    8. Page 2, after line 19 by inserting:

24    <d. Prohibit the use of curriculum that teaches the topics  
25 of sexism, slavery, racial oppression, racial segregation,  
26 or racial discrimination, including topics relating to the  
27 enactment and enforcement of laws resulting in sexism, racial  
28 oppression, segregation, and discrimination.>

29    9. By striking page 2, line 24, through page 3, line 14.

30    10. Page 3, after line 25 by inserting:

31    <\_\_\_\_. *"Specific defined concepts"* includes all of the  
32 following:

33    (1) That one race or sex is inherently superior to another  
34 race or sex.

35    (2) That the United States of America and the state of Iowa

1 are fundamentally or systemically racist or sexist.

2 (3) That an individual, solely because of the individual's  
3 race or sex, is inherently racist, sexist, or oppressive,  
4 whether consciously or unconsciously.

5 (4) That an individual should be discriminated against  
6 or receive adverse treatment solely or partly because of the  
7 individual's race or sex.

8 (5) That members of one race or sex cannot and should not  
9 attempt to treat others without respect to race or sex.

10 (6) That an individual's moral character is necessarily  
11 determined by the individual's race or sex.

12 (7) That an individual, by virtue of the individual's race  
13 or sex, bears responsibility for actions committed in the past  
14 by other members of the same race or sex.

15 (8) That any individual should feel discomfort, guilt,  
16 anguish, or any other form of psychological distress on account  
17 of that individual's race or sex.

18 (9) That meritocracy or traits such as a hard work ethic  
19 are racist or sexist, or were created by a particular race to  
20 oppress another race.

21 (10) Any other form of race or sex scapegoating or any other  
22 form of race or sex stereotyping.>

23 11. Page 3, line 34, by striking <divisive> and inserting  
24 <specific defined>

25 12. Page 4, line 2, by striking <divisive> and inserting  
26 <specific defined>

27 13. Page 4, by striking lines 5 and 6 and inserting <from  
28 discriminating against another by political ideology or any  
29 characteristic>

30 14. Page 4, by striking lines 10 and 11 and inserting <from  
31 discriminating against students and employees by political  
32 ideology or any>

33 15. Page 4, line 26, by striking <divisive> and inserting  
34 <specific defined>

35 16. Page 4, line 34, by striking <divisive> and inserting

- 1 <specific defined>
- 2 17. Page 5, after line 1 by inserting:
- 3 <f. Prohibit the use of curriculum that teaches the topics
- 4 of sexism, slavery, racial oppression, racial segregation,
- 5 or racial discrimination, including topics relating to the
- 6 enactment and enforcement of laws resulting in sexism, racial
- 7 oppression, segregation, and discrimination.>
- 8 18. Page 5, by striking lines 6 and 7.
- 9 19. Page 5, after line 11 by inserting:
- 10 <\_\_\_\_. "*Specific defined concepts*" means the same as defined
- 11 in section 261H.7.>
- 12 20. Page 5, by striking lines 18 and 19 and inserting
- 13 <district does not teach, advocate, encourage, promote, or act
- 14 upon specific stereotyping and scapegoating toward others on
- 15 the basis of demographic group membership or identity. This
- 16 subsection shall not be construed as>
- 17 21. Page 5, line 22, by striking <divisive> and inserting
- 18 <specific defined>
- 19 22. Page 5, by striking lines 26 and 27 and inserting
- 20 <against another by political ideology or any characteristic
- 21 protected under>
- 22 23. Page 5, by striking lines 31 and 32 and inserting
- 23 <employees by political ideology or any characteristic
- 24 protected under the>
- 25 24. Page 6, line 12, by striking <divisive> and inserting
- 26 <specific defined>
- 27 25. Page 6, line 20, by striking <divisive> and inserting
- 28 <specific defined>
- 29 26. Page 6, after line 22 by inserting:
- 30 <f. Prohibit the use of curriculum that teaches the topics
- 31 of sexism, slavery, racial oppression, racial segregation,
- 32 or racial discrimination, including topics relating to the
- 33 enactment and enforcement of laws resulting in sexism, racial
- 34 oppression, segregation, and discrimination.>
- 35 27. By striking page 6, line 23, through page 7, line 17.



H-1428 (Continued)

1       28. By renumbering, redesignating, and correcting internal  
2 references as necessary.

H-1428 FILED APRIL 28, 2021

SENATE AMENDMENT TO  
HOUSE FILE 847

H-1425

1     Amend House File 847, as amended, passed, and reprinted by  
2 the House, as follows:

3     1. Page 10, by striking lines 20 through 30.

4     2. Page 11, by striking lines 25 through 30.

5     3. By striking page 11, line 31, through page 12, line 10,  
6 and inserting:

7     <Sec. \_\_\_\_\_. EXTRACURRICULAR INELIGIBILITY. In addition  
8 to the circumstances enumerated under section 256.46,  
9 subsection 1, and section 282.18, subsection 11, for which  
10 the ineligibility period for extracurricular interscholastic  
11 contests or competitions shall not apply, and notwithstanding  
12 any provision of law or rule of the state board of education to  
13 the contrary, for determinations of eligibility for the school  
14 year beginning July 1, 2020, and the school year beginning  
15 July 1, 2021, a child may participate immediately in varsity  
16 interscholastic contests or competitions upon enrollment in a  
17 school or school district, if the child was previously enrolled  
18 in the school or school district on the first day of the school  
19 calendar for the school year beginning July 1, 2020, then  
20 enrolls in a different school or school district for a portion  
21 of the school year beginning July 1, 2020, and then, before  
22 July 1, 2021, reenrolls in the school or school district in  
23 which the child was initially enrolled.>

24     4. By striking page 12, line 11, through page 13, line 6,  
25 and inserting:

26     <Sec. \_\_\_\_\_. EFFECTIVE DATE. The following, being deemed of  
27 immediate importance, take effect upon enactment:

28     1. The portion of the section of this division of this  
29 Act enacting section 282.18, subsection 11, paragraph "a",  
30 subparagraph (9).

31     2. The portion of the section of this division of this  
32 Act enacting section 282.18, subsection 11, paragraph "a",  
33 subparagraph (10).

34     3. The section of this division of this Act establishing  
35 an exception to the ineligibility period for extracurricular

1 interscholastic contests or competitions for the school year  
2 beginning July 1, 2020, and the school year beginning July 1,  
3 2021.

4 Sec. \_\_\_\_\_. RETROACTIVE APPLICABILITY. The following apply  
5 retroactively to July 1, 2020:

6 1. The section of this division of this Act enacting section  
7 256.46, subsection 1, paragraph "i".

8 2. The portion of the section of this division of this  
9 Act enacting section 282.18, subsection 11, paragraph "a",  
10 subparagraph (9).

11 3. The section of this division of this Act establishing  
12 an exception to the ineligibility period for extracurricular  
13 interscholastic contests or competitions for the school year  
14 beginning July 1, 2020, and the school year beginning July 1,  
15 2021.>

16 5. Page 15, after line 20 by inserting:

17 <DIVISION \_\_\_\_

18 PLEDGE OF ALLEGIANCE

19 Sec. \_\_\_\_\_. Section 280.5, Code 2021, is amended to read as  
20 follows:

21 **280.5 Display of United States flag and Iowa state flag —**  
22 **pledge of allegiance.**

23 1. The board of directors of each public school district  
24 and the authorities in charge of each nonpublic school shall  
25 provide and maintain a suitable flagstaff on each school site  
26 under its control, and the United States flag and the Iowa  
27 state flag shall be raised on all school days when weather  
28 conditions are suitable.

29 2. The board of directors of each public school district  
30 shall administer the pledge of allegiance in grades one through  
31 twelve each school day. Each classroom in which the pledge of  
32 allegiance is recited pursuant to this subsection shall display  
33 the United States flag during the recitation. A student shall  
34 not be compelled against the student's objections or those of  
35 the student's parent or guardian to recite the pledge.

1 DIVISION \_\_\_\_

2 FACE COVERING REQUIREMENTS

3 Sec. \_\_\_\_ . NEW SECTION. 280.31 **Face coverings.**

4 1. The principal of a public school attendance center or  
5 nonpublic school attendance center shall have the authority to  
6 allow students of the attendance center to attend in-person  
7 instruction at the attendance center without wearing a face  
8 covering as required or recommended by federal or state  
9 statute, regulation, or order, county or city ordinance,  
10 regulation, or order, or public health guidance, if the  
11 principal believes that allowing such attendance without  
12 wearing a face covering is in the best interest of the  
13 students by ensuring that students receive quality education,  
14 preventing health-related conditions caused by face coverings,  
15 or otherwise supporting the physical health, mental health,  
16 and overall well-being of the students, and if the board of  
17 directors of the school district or the authorities in charge  
18 of the nonpublic school, as applicable, has approved such  
19 authority or decision of the principal.

20 2. a. A principal's decision to allow students to attend  
21 in-person instruction at the attendance center without wearing  
22 a face covering under subsection 1, including the approval by a  
23 board of directors of a school district or the authorities in  
24 charge of a nonpublic school, shall not constitute any of the  
25 conditions specified in section 686D.4, subsections 1 through  
26 3.

27 b. For purposes of section 686D.5, a principal's decision  
28 under subsection 1, including the approval by a board of  
29 directors of a school district or the authorities in charge  
30 of a nonpublic school, shall not be construed to be an act or  
31 omission that is not in substantial compliance with, or that  
32 is consistent with, any federal or state statute, regulation,  
33 order, or public health guidance related to COVID-19 that was  
34 applicable at the time of the alleged exposure or potential  
35 exposure to COVID-19.

1     Sec. \_\_\_\_\_. EFFECTIVE DATE. This division of this Act, being  
2 deemed of immediate importance, takes effect upon enactment.

3                                     DIVISION \_\_\_\_

4                     SCHOOL TUITION ORGANIZATION TAX CREDIT

5     Sec. \_\_\_\_\_. Section 422.11S, subsection 1, Code 2021, is  
6 amended to read as follows:

7     1. The taxes imposed under this subchapter, less the  
8 credits allowed under section 422.12, shall be reduced by a  
9 school tuition organization tax credit equal to ~~sixty-five~~  
10 seventy-five percent of the amount of the voluntary cash or  
11 noncash contributions made by the taxpayer during the tax year  
12 to a school tuition organization, subject to the total dollar  
13 value of the organization's tax credit certificates as computed  
14 in subsection 8. The tax credit shall be claimed by use of a  
15 tax credit certificate as provided in subsection 7.

16     Sec. \_\_\_\_\_. Section 422.11S, subsection 8, paragraph a,  
17 subparagraph (2), Code 2021, is amended to read as follows:

18     (2) ~~(a)~~ *"Total approved tax credits"* means for the 2006  
19 calendar year, two million five hundred thousand dollars, for  
20 the 2007 calendar year, five million dollars, for calendar  
21 years beginning on or after January 1, 2008, but before January  
22 1, 2012, seven million five hundred thousand dollars, for  
23 calendar years beginning on or after January 1, 2012, but  
24 before January 1, 2014, eight million seven hundred fifty  
25 thousand dollars, for calendar years beginning on or after  
26 January 1, 2014, but before January 1, 2019, twelve million  
27 dollars, ~~and~~ for calendar years beginning on or after January  
28 1, 2019, but before January 1, 2020, thirteen million dollars,  
29 ~~and~~ for calendar years beginning on or after January 1, 2020,  
30 but before January 1, 2022, fifteen million dollars, and for  
31 calendar years beginning on or after January 1, 2022, twenty  
32 million dollars.

33     ~~(b) (i) During any calendar year beginning on or after~~  
34 ~~January 1, 2022, if the amount of awarded tax credits from the~~  
35 ~~preceding calendar year are equal to or greater than ninety~~

~~1 percent of the total approved tax credits for the current  
2 calendar year, the total approved tax credits for the current  
3 calendar year shall equal the product of ten percent multiplied  
4 by the total approved tax credits for the current calendar year  
5 plus the total approved tax credits for the current calendar  
6 year.~~

~~7 (ii) If total approved tax credits are recomputed pursuant  
8 to subparagraph subdivision (i), the total approved tax credits  
9 shall equal the previous total approved tax credits recomputed  
10 pursuant to subparagraph subdivision (i) for purposes of future  
11 recomputations under subparagraph subdivision (i), provided  
12 that the maximum total approved tax credits recomputed pursuant  
13 to this subparagraph division (b) shall not exceed twenty  
14 million dollars in a calendar year.~~

15 Sec. \_\_\_\_\_. RETROACTIVE APPLICABILITY. The following applies  
16 retroactively to January 1, 2021, for tax years beginning on  
17 or after that date:

18 The section of this division of this Act amending section  
19 422.11S, subsection 1.

20 DIVISION \_\_\_\_  
21 CHARTER SCHOOLS

22 Sec. \_\_\_\_\_. Section 256E.5, if enacted by 2021 Iowa Acts,  
23 House File 813, is amended by adding the following new  
24 subsection:

25 NEW SUBSECTION. 7A. a. The state board shall not approve a  
26 charter school application under this section if approval would  
27 result in a number of charter school attendance centers for  
28 charter schools approved under this section that violates any  
29 of the following for the geographic area within the state where  
30 the charter school is proposed to be located:

31 (1) More than one charter school attendance center for the  
32 elementary school grade levels per ten thousand public and  
33 nonpublic students in grades kindergarten through grade twelve  
34 residing in the geographic area.

35 (2) More than one charter school attendance center for

1 the middle school or junior high school grade levels per ten  
2 thousand public and nonpublic students in grades kindergarten  
3 through grade twelve residing in the geographic area.

4 (3) More than one charter school attendance center for the  
5 high school grade levels per ten thousand public and nonpublic  
6 students in grades kindergarten through grade twelve residing  
7 in the geographic area.

8 b. This subsection is repealed July 1, 2026.

9 Sec. \_\_\_\_\_. Section 256E.7, subsections 2A, 3, and 5, if  
10 enacted by 2021 Iowa Acts, House File 813, are amended to read  
11 as follows:

12 2A. a. The governing board's meetings shall be conducted  
13 in a manner that is open to the public and the governing board  
14 shall be a governmental body for purposes of chapter 21.

15 b. The governing board shall be a government body for  
16 purposes of chapter 22 and all records, documents, and  
17 electronic data of the charter school and of the governing  
18 board shall be public records and shall be subject to the  
19 provisions of chapter 22 relating to the examination of public  
20 records.

21 3. a. A charter school shall employ or contract with  
22 teachers as defined in section 272.1, who hold valid licenses  
23 with an endorsement for the type of instruction or service for  
24 which the teachers are employed or under contract.

25 b. The chief administrator of the charter school shall be  
26 one of the following:

27 (1) An administrator who holds a valid license under chapter  
28 272.

29 (2) A teacher who holds a valid license under chapter 272.

30 (3) An individual who holds an authorization to be  
31 a charter school administrator issued by the board of  
32 educational examiners under chapter 272. The board of  
33 educational examiners shall adopt rules for the issuance of  
34 such authorizations not later than December 31, 2021, and such  
35 authorizations shall only be valid for service or employment as

1 a charter school administrator.

2     5. A charter school shall enroll an eligible student who  
3 submits a timely application unless the number of applications  
4 exceeds the capacity of a program, class, grade level, or  
5 building. In this case, students must be accepted by lot.  
6 Upon enrollment of an eligible student, the charter school  
7 shall notify the public school district of residence not later  
8 than March 1 of the ~~preceding~~ school year preceding the school  
9 year of enrollment.

10     Sec. \_\_\_\_\_. Section 256E.10, subsection 2, if enacted by 2021  
11 Iowa Acts, House File 813, is amended to read as follows:

12     2. As part of the charter school contract, the charter  
13 school ~~may be required to~~ shall submit an annual report to  
14 assist the state board in evaluating the charter school's  
15 performance and compliance with the performance framework.>

16     6. Title page, line 1, after <programs,> by inserting  
17 <requirements,>

18     7. By renumbering, redesignating, and correcting internal  
19 references as necessary.



HOUSE FILE 863

H-1432

1 Amend House File 863 as follows:

2 1. Page 1, line 29, before <for> by inserting <and the  
3 office of the chief information officer>

4 2. Page 3, line 27, before <for> by inserting <and the  
5 office of the chief information officer>

6 3. Page 4, line 15, by striking <enforcement> and inserting  
7 <enhancement>

By BOSSMAN of Woodbury

H-1432 FILED APRIL 28, 2021

HOUSE FILE 868

H-1422

1 Amend House File 868 as follows:

2 1. Page 12, after line 11 by inserting:

3 <\_\_\_\_. STUDENT FIRST SCHOLARSHIPS

4 For deposit in the student first scholarship fund created  
5 pursuant to section 257.11B, if enacted by this Act:

6 ..... \$ 5,000,000>

7 2. Page 26, after line 35 by inserting:

8 <DIVISION \_\_\_\_

9 STUDENT FIRST SCHOLARSHIP PROGRAM

10 Sec. \_\_\_\_\_. Section 256.9, Code 2021, is amended by adding the  
11 following new subsection:

12 NEW SUBSECTION. 63. Adopt rules relating to the  
13 administration of and applications for the student first  
14 scholarship program pursuant to section 257.11B, including but  
15 not limited to application processing timelines and information  
16 required to be submitted by a parent or guardian.

17 Sec. \_\_\_\_\_. NEW SECTION. 257.11B Student first scholarship  
18 program.

19 1. Subject to an appropriation of funds by the general  
20 assembly for the purpose, a student first scholarship program  
21 is created that shall be administered by the department of  
22 education.

23 a. For the school budget year beginning July 1, 2022, and  
24 each succeeding school budget year, the following resident  
25 pupils who are attending a nonpublic school, as defined in  
26 section 285.16, shall be eligible to receive a student first  
27 scholarship in the manner provided in this section:

28 (1) A pupil eligible to enroll in kindergarten who, if  
29 enrolled in the pupil's district of residence, would attend  
30 a public school identified for comprehensive support and  
31 improvement under the federal Every Student Succeeds Act, Pub.  
32 L. No. 114-95, or an equivalent objective federal standard.

33 (2) A pupil eligible to enroll in grade one through grade  
34 twelve if the pupil has attended a public school identified for  
35 comprehensive support and improvement under the federal Every

1 Student Succeeds Act, Pub. L. No. 114-95, or an equivalent  
2 objective federal standard, for the equivalent of the two  
3 immediately preceding semesters for which the student first  
4 scholarship is requested and if the pupil is not otherwise  
5 ineligible under this section.

6 (3) A pupil who received a student first scholarship for  
7 the immediately preceding school budget year, who is eligible  
8 to enroll in grade one through grade twelve, and who is not  
9 otherwise ineligible under this section.

10 b. Student first scholarships shall be made available to  
11 parents and guardians in the manner authorized under subsection  
12 4, paragraph "c", for the payment of qualified educational  
13 expenses as provided in this section.

14 c. For purposes of this subsection, "resident" means the  
15 same as defined in section 282.1, subsection 2.

16 2. a. (1) By January 1 preceding the school year for  
17 which the student first scholarship is requested, the parent or  
18 guardian of the pupil requesting a student first scholarship  
19 shall submit an application to the department of education, on  
20 application forms developed by the department of education,  
21 indicating that the parent or guardian intends to enroll the  
22 pupil in a nonpublic school for the entirety of the school  
23 year.

24 (2) In addition to such information deemed appropriate by  
25 the department of education, the application shall require  
26 certification from the nonpublic school of the pupil's  
27 enrollment for the following school year.

28 b. By February 1 preceding the school year for which the  
29 student first scholarship is requested, the department of  
30 education shall determine the number of pupils in each school  
31 district approved to receive a scholarship for the following  
32 school year and shall notify the parent or guardian of each  
33 pupil approved for the following school year to receive a  
34 scholarship and the amount of the scholarship for the pupil.

35 c. Student first scholarships shall only be approved for

1 one school year and applications must be submitted annually for  
2 student first scholarships in subsequent school years.

3 3. The department of education shall assign each pupil a  
4 student first scholarship in an amount equal to the sum of all  
5 the following for the same school budget year:

6 a. The product of the pupil's weighted enrollment that  
7 would otherwise be assigned to the pupil under this chapter if  
8 the pupil was enrolled in the pupil's district of residence  
9 multiplied by the difference between eighty-seven and  
10 five-tenths percent of the regular program state cost per pupil  
11 and the statewide average foundation property tax per pupil.

12 b. The total teacher salary supplement district cost per  
13 pupil for the pupil's district of residence.

14 c. The total professional development supplement district  
15 cost per pupil for the pupil's district of residence.

16 d. The total early intervention supplement district cost per  
17 pupil for the pupil's district of residence.

18 e. The total area education agency teacher salary supplement  
19 district cost per pupil for the pupil's district of residence.

20 f. The total area education agency professional development  
21 supplement district cost per pupil for the pupil's district of  
22 residence.

23 g. The total teacher leadership supplement district cost per  
24 pupil for the pupil's district of residence.

25 4. A student first scholarship fund is created in the  
26 state treasury under the control of the department of  
27 education consisting of moneys appropriated to the department  
28 of education for the purpose of providing student first  
29 scholarships under this section. Notwithstanding section  
30 8.33, moneys appropriated to the department of education by  
31 the general assembly for purposes of this section that remain  
32 unencumbered or unobligated at the end of the fiscal year shall  
33 not revert to the general fund but shall remain available for  
34 expenditure for the purposes designated in subsequent fiscal  
35 years. The director of the department of education has all

1 powers necessary to carry out and effectuate the purposes,  
2 objectives, and provisions of this section pertaining to the  
3 fund, including the power to do all of the following:

4     *a.* Make and enter into contracts necessary for the  
5 administration of the fund.

6     *b.* Procure insurance against any loss in connection with the  
7 assets of the fund or require a surety bond.

8     *c.* Contract with a private financial management firm to  
9 manage the fund, in collaboration with the treasurer of state,  
10 including providing for the disbursement of student first  
11 scholarships in the form of an electronic debit card or checks  
12 that are payable directly from the pupil's account within the  
13 fund.

14     *d.* Conduct audits or other reviews necessary to properly  
15 administer the program.

16     *e.* Adopt rules for the administration of the fund and  
17 accounts within the fund.

18     *f.* Prorate the amount of scholarship awards if the amount  
19 appropriated is insufficient to pay the full amount of  
20 scholarship awards in accordance with subsection 1.

21     5. *a.* For each pupil approved for a student first  
22 scholarship, the department of education shall establish an  
23 account for that pupil in the student first scholarship fund.  
24 The amount of the pupil's student first scholarship shall be  
25 deposited into the pupil's account on July 1, and such amount  
26 shall be immediately available for the payment of qualified  
27 educational expenses incurred by the parent or guardian for  
28 the pupil during that fiscal year using the payment method  
29 authorized under subsection 4, paragraph "c".

30     *b.* A nonpublic school that accepts payment from a parent  
31 or guardian using funds from a pupil's account in the student  
32 first scholarship fund shall not refund, rebate, or share any  
33 portion of such payment with the parent, guardian, or pupil.

34     *c.* Moneys remaining in a pupil's account upon conclusion  
35 of the fiscal year shall remain in the pupil's account in the

1 student first scholarship fund for the payment of qualified  
2 educational expenses in future fiscal years during which the  
3 pupil participates in the program until the pupil becomes  
4 ineligible under the program or until the remaining amounts are  
5 transferred to the state general fund under subsection 8.

6     6. a. For purposes of this section, "*qualified educational*  
7 *expenses*" includes tuition and fees at a nonpublic school,  
8 textbooks, fees or payments for educational therapies,  
9 including tutoring or cognitive skills training, curriculum  
10 fees, software, and materials for a course of study for a  
11 specific subject matter or grade level, tuition or fees for  
12 nonpublic online education programs, tuition for vocational and  
13 life skills education approved by the department of education,  
14 education materials and services for pupils with disabilities,  
15 including the cost of paraprofessionals and assistants who are  
16 trained in accordance with state law, standardized test fees,  
17 advanced placement examinations or examinations related to  
18 postsecondary education admission or credentialing, qualified  
19 education expenses, as defined in section 12D.1, excluding  
20 room and board expenses, and other expenses incurred by the  
21 parent or guardian that are directly related to the education  
22 of the pupil at a nonpublic school, including a nonpublic  
23 school accredited by an independent accrediting agency approved  
24 by the department of education. The cost of one computer or  
25 other portable computing device shall be allowed as a qualified  
26 educational expense for a pupil if the computer or portable  
27 computing device is used primarily for the education of the  
28 pupil and if such a purchase has not been made using funds from  
29 that pupil's account in any of the three immediately preceding  
30 fiscal years.

31     b. "*Qualified educational expenses*" does not include  
32 transportation costs for the pupil, the cost of food or  
33 refreshments consumed by the pupil, the cost of clothing for  
34 the pupil, or the cost of disposable materials, including  
35 but not limited to paper, notebooks, pencils, pens, and art

1 supplies.

2     7. *a.* A person who makes a false claim for the purpose  
3 of obtaining a student first scholarship provided for in this  
4 section or who knowingly receives the scholarship or makes a  
5 payment from an account within the student first scholarship  
6 fund without being legally entitled to do so is guilty of a  
7 fraudulent practice under chapter 714. The false claim for a  
8 student first scholarship or a payment from an account shall  
9 be disallowed. The department of education shall also close  
10 the pupil's account in the student first scholarship fund and  
11 transfer any remaining moneys in the account for deposit in the  
12 general fund of the state. If the improperly obtained amounts  
13 from the scholarship have been disbursed from the applicable  
14 account in the student first scholarship fund, the department  
15 of education shall recover such amounts from the parent or  
16 guardian, including by initiating legal proceedings to recover  
17 such amounts, if necessary. A parent or guardian who commits  
18 a fraudulent practice under this section is prohibited from  
19 participating in the student first scholarship program in the  
20 future.

21     *b.* If, prior to the end of the required attendance  
22 period of the school year, a pupil who receives a student  
23 first scholarship withdraws from enrollment in the nonpublic  
24 school or is expelled, the nonpublic school shall notify the  
25 department of education in writing of the pupil's withdrawal  
26 or expulsion, and the pupil's parent or guardian shall notify  
27 the department of education of the pupil's withdrawal or  
28 expulsion from the nonpublic school. A pupil's expulsion  
29 from the nonpublic school prior to the end of the required  
30 attendance period for the school year shall invalidate the  
31 pupil's eligibility for the student first scholarship for the  
32 school budget year. A pupil's withdrawal from a nonpublic  
33 school prior to the end of the required attendance period of  
34 the school year shall invalidate the pupil's eligibility for  
35 the student first scholarship for the school budget year unless

1 the withdrawal is the result of a change in residence of the  
2 pupil and the pupil, following written notice by the parent  
3 or guardian and certification by the new nonpublic school to  
4 the department of education, enrolls in a different nonpublic  
5 school in this state for the remainder of the school year.

6     c. (1) Upon receipt of a notice of expulsion under  
7 paragraph "b", the department of education shall close the  
8 pupil's account in the student first scholarship fund and  
9 transfer any remaining moneys in the account for deposit in  
10 the general fund of the state. In addition, if amounts from  
11 the scholarship for the school budget year during which the  
12 pupil is expelled have been disbursed from the expelled pupil's  
13 account in the student first scholarship fund, the department  
14 of education shall recover such amounts from the parent or  
15 guardian, including by initiating legal proceedings to recover  
16 such amounts, if necessary.

17     (2) Upon receipt of a notice of withdrawal under paragraph  
18 "b" and a determination that the pupil's withdrawal was  
19 not the result of a change in residence, the department of  
20 education shall cease disbursements of remaining moneys in  
21 the pupil's account in the student first scholarship fund,  
22 close the pupil's account, and transfer any moneys remaining  
23 in the pupil's account for deposit in the general fund of  
24 the state. In addition, if amounts from the scholarship for  
25 the school budget year during which the withdrawal occurs  
26 have been disbursed from the pupil's account in the student  
27 first scholarship fund, the department of education shall  
28 recover such amounts from the parent or guardian to the extent  
29 the amount disbursed exceeds the amount of the scholarship  
30 proportionate to the remaining portion of the school year  
31 following the withdrawal, including by initiating legal  
32 proceedings to recover such amounts, if necessary.

33     (3) Upon receipt of a notice of withdrawal under paragraph  
34 "b" and a determination that the withdrawal was the result of  
35 a change in residence but that the pupil did not enroll in



1 a different nonpublic school in this state for the remainder  
2 of the school year, the department of education shall cease  
3 disbursements of remaining moneys in the pupil's account in  
4 the student first scholarship fund, close the pupil's account,  
5 and transfer any moneys remaining in the pupil's account for  
6 deposit in the general fund of the state.

7 (4) If a pupil's eligibility is invalidated under the  
8 provisions of paragraph "b", the pupil shall be ineligible for a  
9 student first scholarship for the following school budget year  
10 under subsection 1, paragraph "a", subparagraphs (2) and (3).

11 8. Moneys remaining in a pupil's account when the pupil  
12 graduates from high school or turns twenty-one years of age,  
13 whichever occurs first, shall be transferred by the department  
14 of education for deposit in the general fund of the state.

15 9. a. A parent may appeal to the state board of education  
16 any administrative decision the department of education  
17 makes pursuant to this section, including but not limited  
18 to determinations of eligibility, allowable expenses, and  
19 removal from the program. The department shall notify the  
20 parent or guardian in writing of the appeal process at the same  
21 time the department notifies the parent or guardian of the  
22 administrative decision. The state board of education shall  
23 establish the appeals process consistent with chapter 17A and  
24 shall post such appeal process information on the state board  
25 of education's internet site.

26 b. The state board of education shall refer cases of  
27 substantial misuse of student first scholarship funds to the  
28 attorney general for the purpose of collection or for the  
29 purpose of a criminal investigation if the state board of  
30 education obtains evidence of fraudulent use of an account.

31 10. This section shall not be construed to authorize the  
32 state or any political subdivision of the state to exercise  
33 authority over any nonpublic school or construed to require  
34 a nonpublic school to modify its academic standards for  
35 admission or educational program in order to receive payment

1 from a parent or guardian using funds from a pupil's account  
2 in the student first scholarship fund. A nonpublic school  
3 that accepts payment from a parent or guardian using funds  
4 from a pupil's account in the student first scholarship fund  
5 is not an agent of this state or of a political subdivision  
6 of this state. Rules adopted by the department of education  
7 to implement this section that impose an undue burden on a  
8 nonpublic school are invalid.

9 Sec. \_\_\_\_\_. Section 422.7, Code 2021, is amended by adding the  
10 following new subsection:

11 NEW SUBSECTION. 51. Subtract, to the extent included, the  
12 amount of a student first scholarship under section 257.11B  
13 received by the taxpayer for payment of qualified educational  
14 expenses.

15 Sec. \_\_\_\_\_. APPLICABILITY. The following applies to school  
16 budget years and fiscal years beginning on or after July 1,  
17 2022:

18 The section of this division of this Act enacting section  
19 257.11B.

20 Sec. \_\_\_\_\_. APPLICABILITY. The following applies to tax years  
21 beginning on or after January 1, 2022:

22 The section of this division of this Act enacting section  
23 422.7, subsection 51.>

24 3. Title page, line 6, by striking <retroactive>

25 4. By renumbering as necessary.

By SHIPLEY of Van Buren

HOUSE FILE 889

H-1421

1 Amend House File 889 as follows:

2 1. Page 1, lines 30 and 31, by striking <requirement, but  
3 does not include a health care facility as defined in section  
4 686D.2> and inserting <requirement>

5 2. By striking page 1, line 35, through page 2, line 1, and  
6 inserting <subdivision of the state.>

By SHIPLEY of Van Buren

H-1421 FILED APRIL 28, 2021

HOUSE FILE 889

H-1424

- 1 Amend House File 889 as follows:
- 2 1. Page 1, after line 24 by inserting:
- 3 <\_\_\_\_. A violation of this section is punishable by a civil
- 4 penalty in the amount of one thousand five hundred dollars
- 5 for each violation. In an action or proceeding to enforce
- 6 this section, the court shall award the prevailing plaintiff
- 7 reasonable court costs and attorney fees.>
- 8 2. By renumbering, redesignating, and correcting internal
- 9 references as necessary.

By B. MEYER of Polk

H-1424 FILED APRIL 28, 2021

HOUSE FILE 889

H-1431

- 1 Amend House File 889 as follows:
- 2 1. By striking page 1, line 8, through page 2, line 1.
- 3 2. Title page, by striking lines 1 through 3 and inserting
- 4 <An Act prohibiting the publication of certain vaccination
- 5 information on certain identification cards,>
- 6 3. By renumbering as necessary.

By SHIPLEY of Van Buren

H-1431 FILED APRIL 28, 2021

H-1433

1 Amend House File 889 as follows:

2 1. Page 2, after line 1 by inserting:

3 <Sec. \_\_\_\_\_. NEW SECTION. 94.1 Definitions.

4 As used in this chapter, unless the context otherwise  
5 requires:

6 1. "*Applicant*" means a natural person who applies to be an  
7 employee.

8 2. "*COVID-19*" means the novel coronavirus identified  
9 as SARS-CoV-2, the disease caused by the novel coronavirus  
10 SARS-CoV-2 or a virus mutating therefrom, and conditions  
11 associated with the disease caused by the novel coronavirus  
12 SARS-CoV-2 or a virus mutating therefrom.

13 3. "*Employee*" means a natural person who is employed in this  
14 state for wages by an employer.

15 4. "*Employer*" means a person, as defined in chapter 4, who  
16 in this state employs for wages, natural persons.

17 Sec. \_\_\_\_\_. NEW SECTION. 94.2 COVID-19 Vaccination  
18 requirements or history — prohibited acts by employer.

19 An employer shall not fail or refuse to hire, discharge,  
20 penalize, or otherwise discriminate against an employee with  
21 respect to compensation or the terms, conditions, or privileges  
22 of employment based on either of the following:

23 1. The employee's COVID-19 vaccination history.

24 2. The refusal of the employee to receive a COVID-19 vaccine  
25 or provide proof of immunity.

26 Sec. \_\_\_\_\_. NEW SECTION. 94.3 Civil remedies.

27 An employee whose rights are violated under this chapter may  
28 bring an action against an employer in the district court in  
29 the county where the employer is located for injunctive relief,  
30 actual damages, admission or reinstatement of the employee with  
31 back pay plus ten percent interest, or any other appropriate  
32 relief necessary to ensure compliance with this chapter.

33 Sec. \_\_\_\_\_. NEW SECTION. 139A.8B Immunization requirements  
34 — exemptions.

35 Notwithstanding any provision of law to the contrary, a

1 person shall not be required to receive an immunization, gene  
2 therapy, or other invasive medical procedure if either of the  
3 following apply:

4 1. The person, or if the person is a minor, the person's  
5 parent or legal guardian, submits to the person requiring the  
6 immunization, gene therapy, or other invasive medical procedure  
7 a statement signed by a physician, advanced registered nurse  
8 practitioner, or physician assistant who is licensed by the  
9 board of medicine, board of nursing, or board of physician  
10 assistants that the immunization, gene therapy, or invasive  
11 medical procedure required would be injurious to the health and  
12 well-being of the person or any member of the person's family.

13 2. The person, or if the person is a minor, the person's  
14 parent or legal guardian, submits an affidavit signed by the  
15 person, or if the applicant is a minor, the person's parent or  
16 legal guardian, stating that the immunization, gene therapy, or  
17 other invasive medical procedure conflicts with the tenets and  
18 practices of a recognized religious denomination of which the  
19 person is an adherent or member.>

20 2. Title page, line 1, after <Act> by inserting <relating  
21 to vaccinations, including by prohibiting certain mandatory  
22 vaccinations and certain employment practices and>

23 3. Title page, line 3, after <contracts,> by inserting  
24 <creating exemptions to mandatory vaccinations,>

25 4. By renumbering as necessary.

By SHIPLEY of Van Buren

H-1433 FILED APRIL 28, 2021

SENATE FILE 243

H-1423

1 Amend Senate File 243, as amended, passed, and reprinted by  
2 the Senate, as follows:

3 1. By striking page 1, line 21, through page 2, line 11, and  
4 inserting:

5 <Sec. \_\_\_\_\_. NEW SECTION. 727.12 Failure to assist.

6 1. A person who reasonably believes another person is  
7 suffering from a risk of serious bodily injury or imminent  
8 danger of death shall, if the person is able, attempt to  
9 contact local law enforcement or local emergency response  
10 authorities, if doing so does not place the person or the other  
11 person at risk of serious bodily injury or imminent danger of  
12 death. A person shall not be required to contact local law  
13 enforcement or emergency response authorities if the person  
14 knows or reasonably believes that the other person is not in  
15 need of help or assistance.

16 2. A person who violates this section without lawful cause  
17 commits the following:

18 a. A simple misdemeanor if the failure to assist results in  
19 the other person suffering serious bodily injury.

20 b. An aggravated misdemeanor if the failure to assist  
21 results in the death of the other person.>

By GOBBLE of Polk

H-1423 FILED APRIL 28, 2021



SENATE AMENDMENT TO HOUSE AMENDMENT TO  
SENATE FILE 562

H-1429

1 Amend the House amendment, S-3153, to Senate File 562, as  
2 amended, passed, and reprinted by the Senate, as follows:

3 1. Page 1, before line 3 by inserting:

4 <\_\_\_\_. Page 1, before line 1 by inserting:

5 <DIVISION I

6 SEXUAL EXPLOITATION BY AN ADULT PROVIDING TRAINING OR  
7 INSTRUCTION>

8 2. Page 1, after line 4 by inserting:

9 <\_\_\_\_. Page 2, line 19, by striking <or the minor> and  
10 inserting <or of the minor>

11 <\_\_\_\_. Page 2, by striking lines 29 through 32 and inserting:

12 <c. This subsection only applies to an offense under  
13 subparagraph (1) which occurs within the period of time the  
14 adult providing training or instruction is receiving payment  
15 for the training or instruction and to an offense under  
16 subparagraph (2) which occurs within the period of time the  
17 adult providing training or instruction is receiving payment  
18 for the training or instruction or within thirty days after any  
19 such period of training or instruction.>

20 <\_\_\_\_. Page 3, by striking lines 7 through 18 and inserting:

21 <DIVISION \_\_\_\_

22 STATUTE OF LIMITATIONS — CRIMINAL OFFENSES — MINORS

23 Sec. \_\_\_\_\_. Section 802.2, subsections 1 and 2, Code 2021, are  
24 amended to read as follows:

25 1. An information or indictment for sexual abuse in the  
26 first, second, or third degree committed on or with a person  
27 who is under the age of eighteen years ~~shall~~ may be found  
28 ~~within fifteen years after the person upon whom the offense~~  
29 ~~is committed attains eighteen years of age, or if the person~~  
30 ~~against whom the information or indictment is sought is~~  
31 ~~identified through the use of a DNA profile, an information or~~  
32 ~~indictment shall be found within three years from the date the~~  
33 ~~person is identified by the person's DNA profile, whichever~~  
34 ~~is later~~ commenced at any time after the commission of the  
35 offense.

1       2. An information or indictment for any other sexual abuse  
2 in the first, second, or third degree shall be ~~found~~ commenced  
3 within ten years after its commission, or if the person against  
4 whom the information or indictment is sought is identified  
5 through the use of a DNA profile, an information or indictment  
6 shall be ~~found~~ commenced within three years from the date the  
7 person is identified by the person's DNA profile, whichever is  
8 later.

9       Sec. \_\_\_\_\_. Section 802.2A, Code 2021, is amended to read as  
10 follows:

11       **802.2A Incest — sexual exploitation by a counselor,**  
12 **therapist, ~~or~~ school employee, or adult providing training or**  
13 **instruction.**

14       1. An information or indictment for incest under section  
15 726.2 committed on or with a person who is under the age of  
16 eighteen ~~shall~~ may be ~~found within fifteen years after the~~  
17 ~~person upon whom the offense is committed attains eighteen~~  
18 ~~years of age. An information or indictment for any other~~  
19 ~~incest shall be found within ten years after its~~ commenced at  
20 any time after the commission of the offense.

21       2. An indictment or information for sexual exploitation by  
22 a counselor, therapist, ~~or~~ school employee, or adult providing  
23 training or instruction, under section 709.15 committed on  
24 or with a person who is under the age of eighteen ~~shall~~ may  
25 be ~~found within fifteen years after the person upon whom the~~  
26 ~~offense is committed attains eighteen years of age~~ commenced at  
27 any time after the commission of the offense. ~~An information~~  
28 ~~or indictment for any other sexual exploitation shall be found~~  
29 ~~within ten years of the date the victim was last treated by the~~  
30 ~~counselor or therapist, or within ten years of the date the~~  
31 ~~victim was enrolled in or attended the school.~~

32       Sec. \_\_\_\_\_. Section 802.2B, unnumbered paragraph 1, Code  
33 2021, is amended to read as follows:

34       An information or indictment for the following offenses  
35 committed on or with a person who is under the age of eighteen

1 years ~~shall~~ may be found within ten years after the person upon  
2 whom the offense is committed attains eighteen years of age,  
3 or if the person against whom the information or indictment  
4 is sought is identified through the use of a DNA profile, an  
5 information or indictment shall be found within three years  
6 from the date the person is identified by the person's DNA  
7 profile, whichever is later commenced at any time after the  
8 commission of the offense:

9     Sec. \_\_\_\_\_. Section 802.2D, Code 2021, is amended to read as  
10 follows:

11     **802.2D Human trafficking.**

12     An information or indictment for human trafficking in  
13 violation of section 710A.2, committed on or with a person who  
14 is under the age of eighteen years ~~shall~~ may be found within  
15 ten years after the person upon whom the offense is committed  
16 attains eighteen years of age, or if the person against whom  
17 the information or indictment is sought is identified through  
18 the use of a DNA profile, an information or indictment shall be  
19 found within three years from the date the person is identified  
20 by the person's DNA profile, whichever is later commenced at  
21 any time after the commission of the offense.

22     Sec. \_\_\_\_\_. EFFECTIVE DATE. This division of this Act, being  
23 deemed of immediate importance, takes effect upon enactment.>

24     \_\_\_\_\_. Title page, by striking lines 1 and 2 and inserting  
25 <An Act relating to sexual exploitation by an adult providing  
26 training or instruction and statute of limitations time periods  
27 for certain criminal offenses committed on or with minors, and  
28 providing penalties and including effective date provisions.>>

29     3. By renumbering as necessary.



1 or dairy products; washed shelled eggs; honey; maple syrup;  
2 cleaned unshelled or shelled nuts; washed whole produce; and  
3 washed and cut produce.

4 5. "*Fund*" means the farm-to-school fund created in section  
5 190A.5.

6 6. "*Process*" means to prepare a food commodity in a manner  
7 that allows it to be sold to consumers as a food product,  
8 including by altering the form or identity of the food  
9 commodity; trimming, cutting, cleaning, drying, freezing,  
10 filtering, sorting, or shelling the food commodity; or  
11 packaging the food commodity.

12 7. "*Program*" means the farm-to-school program created in  
13 section 190A.6.

14 8. "*School*" means a public school or nonpublic school, as  
15 those terms are defined in section 280.2, or that portion of a  
16 public school or nonpublic school that provides facilities for  
17 teaching any grade from kindergarten through grade twelve.

18 9. "*School district*" means a school district as described  
19 in chapter 274.

20 Sec. \_\_\_\_\_. NEW SECTION. 190A.5 Farm-to-school fund.

21 1. A farm-to-school fund is created in the state treasury  
22 under the management and control of the department.

23 2. The fund shall include moneys appropriated to the fund  
24 by the general assembly. The fund shall include any other  
25 moneys available to and obtained or accepted by the department,  
26 including moneys from public or private sources, to support the  
27 program.

28 3. Moneys in the fund are appropriated to support the  
29 program in a manner determined by the department, including for  
30 reasonable administrative costs incurred by the department.  
31 However, the department shall not expend more than four  
32 percent of moneys existing at any one time in the fund during  
33 each fiscal year for purpose of paying costs associated with  
34 the administration of the program and fund incurred by the  
35 department during that fiscal year. Moneys expended from the

1 fund shall not require further special authorization by the  
2 general assembly.

3 4. a. Notwithstanding section 12C.7, interest or earnings  
4 on moneys in the fund shall be credited to the fund.

5 b. Notwithstanding section 8.33, moneys credited to the  
6 fund that remain unencumbered or unobligated at the close of  
7 a fiscal year shall not revert but shall remain available for  
8 expenditure for the purposes designated.

9 Sec. \_\_\_\_\_. NEW SECTION. 190A.6 Farm-to-school program.

10 1. A farm-to-school program is created. The program shall  
11 be controlled and administered by the department.

12 2. The purpose of the program is to assist schools and  
13 school districts in purchasing food products derived from food  
14 commodities produced on a farm.

15 3. The department shall reimburse a school or school  
16 district for expenditures incurred by the school or school  
17 district during the school year in which the school or school  
18 district is participating in the program to purchase food  
19 products derived from food commodities produced on a farm.

20 4. A school or school district must apply each year to the  
21 department to participate in the program according to rules  
22 adopted by the department pursuant to chapter 17A.

23 5. To be eligible to participate in the program, a school or  
24 school district must purchase a food product directly from a  
25 farm source as follows:

26 a. The farm source must be any of the following:

27 (1) A farm where a food commodity is produced, if the food  
28 commodity is processed into a food product on the farm for sale  
29 to a consumer.

30 (2) A business premises that is directly shipped a food  
31 commodity from a farm, if the food commodity is processed into  
32 a food product on the business premises for sale to a consumer.

33 (3) A business premises that is directly shipped a food  
34 product from a farm, if the food product is purchased for  
35 resale to a consumer or is distributed to a consumer on behalf

1 of a farmer.

2     *b.* The farm source must comply with all applicable laws  
3 regulating the sale of food.

4     *c.* (1) Except as provided in subparagraph (2), the farm  
5 source must be located in this state.

6     (2) If the school district shares a border with another  
7 state, or the school is part of a school district that shares  
8 a border with another state, the farm source may be located  
9 in the other state. However, the farm source must be located  
10 within thirty miles of the school district's border with the  
11 other state and the department must approve the purchase.

12     6. The department shall require proof of purchase prior to  
13 reimbursing the school or school district for the purchase of  
14 food products.

15     7. The department of agriculture and land stewardship may  
16 administer the program in cooperation with the department of  
17 education and the participating school or school district in  
18 which a participating school is located.

19     8. *a.* The department shall reimburse a participating  
20 school or school district that submits a claim as required  
21 by the department. The department shall pay the claim on a  
22 matching basis with the department contributing one dollar  
23 for every three dollars expended by the school or school  
24 district. However, a school or school district shall not  
25 receive more than one thousand dollars during any year in which  
26 it participates in the program.

27     *b.* Notwithstanding paragraph "a", if the department  
28 determines that there are sufficient moneys in the fund to  
29 satisfy all claims that may be submitted by schools and school  
30 districts, the department shall provide for the distribution  
31 of the available moneys in a manner determined equitable by  
32 the department, which may include a prorated distribution to  
33 participating schools and school districts.>

34     3. By renumbering as necessary.

H-1430 (Continued)

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